

**PHYSICAL THERAPY BOARD OF CALIFORNIA****Consumer Protection Services Program**

1418 HOWE AVENUE, SUITE 16, SACRAMENTO, CA 95825-3204  
TELEPHONE (916) 561-8200 FAX (916) 263-2560 TOLL FREE 1-800-832-2251  
INTERNET <http://www.ptb.ca.gov>  
EMAIL [cps@dca.ca.gov](mailto:cps@dca.ca.gov)

August 19, 2005

Citation No. 05-06-0144

Anthony Joseph Marciano, P.T.  
9080 Heritage Circle  
Hanford CA 93230

License No. PT 17563

**CITATION**

Investigation of a complaint submitted revealed actions taken by you which violate sections of the law regulating the practice of physical therapy.

On January 8, 2004, a Department of Consumer Affairs investigator and a physical therapist consultant, visited the Visalia Medical Clinic in Visalia, California to conduct interviews and to review patient records. During the interview you admitted that from 2000 through January 8, 2004 you have not been documenting the patient related tasks delegated to the physical therapy aides nor have the physical therapy aides been signing the patient records when performing physical therapy.

A Citation is hereby issued to you in accordance with Section 125.9 of the Business and Professions Code for the violations described below.

**FIRST CAUSE FOR CITATION*****1. Business and Professions Code, Section 2660 (j)***

*The aiding or abetting of any person to violate this chapter or any regulations duly adopted under this chapter.*

Based on your admission and the records reviewed, it has been determined that you aided and abetted the unlawful practice of physical therapy for allowing physical therapy aides to treat patients without adequate supervision documentation.

## SECOND CAUSE FOR CITATION

### **2. Business and Professions Code, Section 2660 (k)**

*The aiding or abetting of any person to engage in the unlawful practice of physical therapy.*

Based on your admission and the records reviewed, it has been determined that you aided and abetted the unlawful practice of physical therapy for allowing physical therapy aides to treat patient without adequate supervision documentation.

## ORDER

Further, **you are ordered to pay a fine of \$ 2500.00** to the Physical Therapy Board of California within 30 days after receipt of this Citation.

If you wish to contest all or any part of this Citation, complete the enclosed "Notice of Appeal -Request for Informal Conference" form and return it to this office within 10 days after receipt of this Citation. The date indicated on the order of abatement will be held in abeyance only for any violation(s) you wish to contest. The time to correct all uncontested violations will be adhered to as specified. In the alternative, you may, within 30 days after receipt of this Citation, request a formal administrative hearing before an administrative law judge under the Administrative Procedure Act.

**FAILURE TO RETURN THE REQUEST FOR INFORMAL CONFERENCE FORM OR TO REQUEST AN ADMINISTRATIVE HEARING WITHIN THE TIME INDICATED WILL CONSTITUTE A WAIVER OF YOUR RIGHT TO ADMINISTRATIVELY CONTEST OR APPEAL THIS CITATION.**

### Administrative Fine

\$ 2500.00

FOR YOUR PROTECTION AND TO ASSURE PROPER CREDIT,  
PLEASE RETURN THE COPY OF THE CITATION  
AND NOTE THE CITATION NUMBER ON YOUR CHECK  
OR MONEY ORDER.

August 19, 2005

Date

Original Signed By:

STEVEN K. HARTZELL

Executive Officer

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**ORDER OF ABATEMENT**

August 19, 2005

Citation Against: Anthony Joseph Marciano

Citation No. 05-06-0144

First Cause

Violations: Business and Professions Code, Section 2660 (j)

*The aiding or abetting of any person to violate this chapter or any regulations duly adopted under this chapter.*

Second Cause

Violations: Business and Professions Code, Section 2660 (k)

*The aiding or abetting of any person to engage in the unlawful practice of physical therapy.*

Order of Correction

You are hereby ordered to abate this violation immediately and to cease and desist from further violation.

Failure to comply with the provisions of this Citation and Order of Abatement within 30 days of receipt may result in further legal action.